

CHAPTER 9

R-M District -- Multiple Residence District

Sec. 9-1. Uses Permitted; R-M District.

The following uses are permitted in all R-M Districts:

- (1) All uses permitted in R-8 Districts.
- (2) Apartment hotel.
- (3) Apartment house.
- (4) Deleted 10/27/99.
- (5) Townhouse.
- (6) Multiple dwellings.
- (7) Hospital or sanitarium, subject to securing a Use Permit. (10/27/99)
- (8) Hotels with or without businesses as are customarily conducted in conjunction with hotels, a public dance hall within said hotel operated by and in conjunction therewith; provided that every public entrance to such business or public dance hall shall be from the hotel lobby, hallway, or other interior portion, and that no show window, sign, or other matter of advertising such business shall be visible from the outside of the hotel.
- (9) Mobile/manufactured home parks and subdivisions, subject to securing a Use Permit. (10/27/99)
- (10) Motels, subject to securing a Conditional Privilege; and restaurants or dining rooms with a public dance hall on the same property and all operated in conjunction with the motel. (amended 10/23/96)
- (11) Private clubs and lodges, subject to securing a Conditional Privilege. (amended 10/23/96)
- (12) Deleted 10/27/99.
- (13) Semi-detached dwellings.
- (14) Tourist homes/bed & breakfasts, subject to securing a Conditional Privilege. (10/27/99)

- (15) Restaurants on the same property and operated in conjunction with a motel.
- (16) Professional office buildings.
- (17) Deleted.
- (18) Automobile parking lots, public or private, for use as an extension of, or in conjunction with, the required or desired parking facilities in a contiguous commercial district; provided, that there must be common ownership of both the property zoned multiple residential and the contiguous commercial zoned property.
- (19) Deleted. (10/25/95)
- (20) Commercial communication tower subject to securing a Use Permit. (10/27/99)
- (21) Noncommercial communication tower, up to seventy five (75) feet in height. Such tower height may be increased up to a total of one hundred twenty five (125) feet subject to securing a Use Permit. (10/27/99)
- (22) Commercial Building Mounted Antenna; provided the following:
 - (a) The building is not a single family dwelling;
 - (b) The minimum height of the building shall be no less than thirty five (35) feet;
 - (c) The height of the antenna (including support structures) shall not exceed twenty two feet above the highest point of the building;
 - (d) The antenna and support structures are painted so that they are compatible with the primary building structure, unless roof mounted; and (amended 7/9/97)
 - (e) Intermodulation testing is coordinated through the Hampton Police Division demonstrating that the proposed antenna operation is designed in a manner to eliminate interference with public safety communications. Such testing shall also be required from each subsequent operator prior to any building permits to add or modify antennae. Should any equipment associated with the antennae be found to interfere with

public safety communications, the owner shall be responsible for the elimination of such interference. (Amended 1/23/02)

- (23) Adult care residences 1 and 2. (10/27/99)
- (24) Adult care residence 3, subject to securing a Use Permit. (10/27/99)
- (25) Day care 3, subject to securing a Conditional Privilege. (10/27/99)
- (26) Group home 2, subject to securing a Use Permit. (10/27/99)
- (27) Juvenile residence 1 and 2. (10/27/99)
- (28) Juvenile residence 3, subject to securing a Use permit. (10/27/99)
- (29) Orphanage, subject to securing a Use Permit. (10/27/99)
- (30) Shelter, subject to securing a Use Permit. (10/27/99)

Sec. 9-2. Height Regulations; R-M District.

No building in an R-M District shall exceed three (3) stories or fifty one (51) feet in height, provided that the height limit of any building may be increased to no more than sixty eight (68) feet, but not more than four (4) stories when side yards of not less than twenty five (25) feet are provided; however, buildings may be increased an additional five (5) feet in height for each additional ten (10) feet of side yard.

Sec. 9-3. Lot Area; R-M District.

- (1) No one-family dwelling in an R-M District shall be erected or placed on a lot or building site containing less than six thousand (6,000) square feet and such lot shall have a minimum frontage of sixty (60) feet. A structure may be erected or placed on a substandard lot only if it complies with the provisions set forth in Section 18-22 hereof.
- (2) No two-family dwelling in an R-M District shall be

erected or placed on a lot or building site containing less than six thousand (6,000) square feet, and such lot shall have a minimum frontage of sixty (60) feet.

(3) No duplex dwelling unit in an R-M District shall be erected or placed on a lot or building site containing less than four thousand (4,000) square feet, and such lot shall have a minimum frontage of forty (40) feet.

(4) The use of all rooms shall be clearly defined on the plans submitted with the application for a building permit.

(a) The minimum lot area of each family or apartment unit in any R-M District shall be as follows:

Apartment Type	No. of Habitable Rooms	Lot area required for each family or apartment unit
1	1	800 sq. ft.
2	2	1,200 sq. ft.
3	3	1,600 sq. ft.
4	4 or more	1,800 sq. ft.

(b) No building in an R-M District shall hereafter be erected or altered to provide for three (3) or more family or apartment units on any lot containing less than six thousand (6,000) square feet of lot area and average width of sixty (60) feet of lot width. The minimum width and area requirements of this paragraph shall not be altered or varied by any commission, board, or administrator.

Sec. 9-4. Dwelling Area; R-M District.

No dwelling in an R-M District shall be erected having a floor area of less than eight hundred (800) square feet. Duplex or semi-detached units shall contain not less than six hundred (600) square feet each. These minimum areas shall be exclusive of attached garages, carports, porches, patios, breezeways, or utility rooms.

Sec. 9-5. Building Setback Regulations; R-M District.

(1) Front Yard.

There shall be a front yard in an R-M District having a depth of thirty (30) feet; however, lots of record prior to the adoption of this Ordinance shall have a front yard equal to the average front yard in the block, but in no case less than twenty (20) feet; however, no such front yard need be more than sixty (60) feet.

Colleges and public or private schools, as may be permitted in this section, shall be set back at least fifty (50) feet from the front street line and at least thirty (30) feet from all other boundary lines of the property.

Churches, as may be permitted in this section, shall be set back at least thirty (30) feet from the front property line; parking within this setback shall be prohibited.

(2) Side Yard.

There shall be a side yard in an R-M District along each side of each building, and the sum of the sides thereof shall be not less than twenty five percent (25%) of the lot's width measured at the building setback line. The minimum width of any such side yard shall be ten percent (10%) of the lot's width, except that if the total required width of the two side yards is twenty five (25) feet or more, one need not be more than ten (10) feet in width. The side yard along the side street of a corner lot shall not be less than fifteen (15) feet.

Lots having a width of forty (40) feet or less and of record prior to January 27, 1960, which are

developed in accordance with Section 18-22(1) shall have a side yard setback of not less than five (5) feet on each side.

Churches, as may be permitted in this section, shall provide side yards, the total of which shall be twenty five percent (25%) of the lot width, with a minimum individual side yard of thirty (30) feet. Parking within ten (10) feet of the property line shall be prohibited.

(3) Rear Yard.

There shall be a rear yard in an R-M District

having a depth of not less than twenty (20) feet provided that if the depth of the lot is greater than seventy five (75) feet, the required depth shall be increased by an amount equal to one-third ($1/3$) of the rear yard depth over seventy five (75) feet; however, no such rear yard shall need be more than thirty five (35) feet in depth. Every rear yard shall extend to and be measured from the rearmost portion of the main building.

Colleges and public or private schools, as may be permitted in this section, shall set back at least fifty (50) feet from the front street line and at least thirty (30) feet from all other boundary lines of the property.

Churches, as may be permitted in this section, shall provide a rear yard of thirty (30) feet; parking within ten (10) feet of the property line shall be prohibited.

Sec. 9-6. Accessory Structure; R-M District.

In any R-M District:

- (1) Accessory structures shall not cover more than twenty percent (20%) of the rear yard.
- (2) No accessory structure shall be located closer than five (5) feet to the rear property line.
- (3) No accessory structure shall be located closer than three (3) feet to the side property line.
(amended 7/9/97)

Sec. 9-7. Off-Street Parking; R-M District.

Uses permitted in any R-M District shall provide garage or vehicle parking space as required in Chapter 19 hereof.

Sec. 9-8. Fences; R-M District.

Fences shall be permitted as provided in Chapter 18 hereof.